In re Patent Application of:
FLICK
Serial No. **10/043,077**
Filing Date: **JANUARY 9, 2002**

REMARKS

The Examiner is thanked for the thorough examination of the present application. The Examiner is also thanked for the Examiner interview of September 26, 2005 concerning proposed amendments to independent Claims 1 and 46. The Examiner determined the proposed amended claims would require further search and/or consideration, and, therefore, the proposed amendments would not be entered. As a result, this Request for Continuing Examination contains the proposed amendments to independent Claims 1 and 46. Independent Claims 1 and 46 have been amended, but not narrowed and not narrowed for reasons relating to patentability.

The patentability of the claims is discussed in greater detail below. Favorable consideration is respectfully requested.

I. The Claimed Invention

Amended independent Claim 1, for example, is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, a vehicle device connected thereto, and the vehicle device comprising a vehicle indicator. The vehicle control system includes a uniquely coded transmitter to be carried by a user, a receiver at the vehicle for receiving signals from the uniquely coded transmitter, and a controller at the vehicle spaced apart from the vehicle device and cooperating with the receiver and

the vehicle data communications bus. Claim 1 further recites that the controller is for communicating with the vehicle device via the data communications bus, and is switchable to a learning mode. When in the learning mode, the controller learns the at least one uniquely coded transmitter to permit control of a vehicle function by the user. Moreover, Claim 1 recites that the controller is also for communicating with the vehicle indicator via the vehicle data communications bus to cause the indication of whether the new uniquely coded transmitter has been learned. Amended independent Claim 46 is a method counterpart to Claim 1.

Independent Claim 18 is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, and a vehicle indicator connected thereto. The vehicle control system includes a coded transmitter to be carried by a user, a receiver at the vehicle for receiving signals from the uniquely coded transmitter, and a controller at the vehicle spaced apart from the vehicle indicator and cooperating with the receiver and the vehicle data communications bus. The controller is for learning the coded transmitter to permit control of a vehicle function by the user, communicating with the vehicle indicator via the data communications bus to cause an indication of whether the new uniquely coded transmitter has been learned, and causing an indication of a number of learned uniquely coded transmitters.

In re Patent Application of:
FLICK
Serial No. **10/043,077**
Filing Date: **JANUARY 9, 2002**

Independent Claim 30 is directed to a vehicle control system for a vehicle including a vehicle data communications bus extending throughout the vehicle, and a vehicle device connected thereto. The vehicle control system includes a biometric characteristic sensor for sensing a unique biometric characteristic of a user, and a controller at the vehicle spaced apart from the vehicle device and cooperating with the biometric characteristic sensor and the vehicle data communications bus. The controller is for communicating with the vehicle device via the data communications bus, learning the unique biometric characteristic to permit control of a vehicle function by the user, and causing an indication of whether the new unique biometric characteristic has been learned. Independent Claim 57 is a method counterpart to Claim 30.

II. Claims 1, 3-9, 11-17, 46, 48-52, and 54-56 Are Patentable

The Examiner rejected independent Claims 1 and 46 as unpatentable over the Issa patent in view of the Flick '460 patent. The Issa patent discloses a vehicle keyless entry system that is switchable to a training mode to program the controller to accommodate a remote transmitter. The Examiner correctly notes that the Issa patent fails to disclose: a data communications bus extending throughout the vehicle, that the controller 23 and the vehicle devices are all connected to the data bus, and that the controller 23 communicates with vehicle devices via the data bus.

In re Patent Application of:
FLICK
Serial No. **10/043,077**
Filing Date: **JANUARY 9, 2002**

The Examiner seeks to supply these noted critical deficiencies by proposing a combination of the teachings of the Issa Patent with the teachings of the Flick '460 patent. The Flick '460 patent discloses a vehicle security system including a remote transmitter in communication with a plurality of vehicle devices, and the vehicle devices communicate with a controller over a vehicle data communications bus. However, the Issa patent teaches away from the Examiner's proposed combination because the Issa patent never considers a vehicle data bus. More particularly, the Issa patent is a hardwired system and the controller is only responsive to specific commands in a specific format as is described at column 5, lines 11-30. More particularly, the specific format for the commands is precisely described at column 5, lines 31-37 which states:

> As illustrated in FIG. 4, code word 81 has an identification word, in some embodiments a hopping word and a command or function word, not necessarily in that order. The hopping word changes each time transmitter 1 is activated to confuse a potential thief. A group 83 consists of two or more code words 81 and a set 85 consists of one or more groups 83.

In other words, the Examiner's proposed combination using a data bus for communicating with the vehicle devices would require a format for the code word that is directly contrary to the teachings of the Issa patent. For example, adding a data bus to the teachings of Issa would require, at a

minimum, some kind of addressing scheme be added to the code word format of FIG. 4.

In contrast, independent Claim 1, for example, is directed to a controller at the vehicle spaced apart from the at least one vehicle device and cooperating with said receiver and the vehicle data communications bus for communicating with the vehicle indicator via the vehicle data communications bus to cause the indication of whether at least one new uniquely coded transmitter has been learned. The Examiner's proposed combination fails to provide such without contradicting the teachings of the Issa patent. Independent Claim 46 includes recitations similar to Claim 1.

Accordingly, independent Claims 1 and 46 are patentable. The dependent claims, which recite yet further distinguishing features of the invention, are also patentable, and require no further discussion.

III. Claims 18-23 Are Patentable

The Examiner rejected independent Claim 18 as unpatentable over the Issa patent in view of the Flick '460 patent, and further in view of the Flick '571 patent. The critical deficiencies of the combination of the Issa patent and the Flick '460 patent are discussed above. The Examiner also correctly notes that the Issa patent and Flick '460 patent combination fails to disclose a controller indicating the number of learned remote transmitters and looks to the Flick '571 to provide such. The Flick '571 patent discloses a building

security system comprising indicators that can indicate the number of learned remote transmitters.

As argued above, the Issa patent teaches away from any combination using a data bus. In other words, the Examiner's proposed combination including the Flick '571 patent in which a data bus is used for communicating with the vehicle devices would require a format for the code word that is directly contrary to the teachings of the Issa patent.

Accordingly, independent Claim 18 is patentable. Its dependent claims, which recite yet further distinguishing features of the invention, are also patentable, and require no further discussion.

IV. Claims 30-45 And 57-67 Are Patentable

The Examiner rejected independent Claims 30 and 57 as unpatentable over the Anzai patent in view of the Flick '460 patent. The Anzai et al. patent discloses a biometric authorization system for a vehicle that includes an enrollment mode. The Examiner incorrectly asserts that the control unit indicates that a new fingerprint has been learned by asking for confirmation of the enrollee via a display unit 41. The disclosure and deficiencies of the Flick '460 patent are discussed above.

In contrast, independent Claim 30, for example, is directed to a vehicle control system that includes a controller for learning the unique biometric characteristic to permit

control of a vehicle function by the user, and causing an indication of whether at least one new unique biometric characteristic has been learned. The Anzai et al. patent fails to disclose such. The Anzai et al. patent merely records the fingerprint, step S91, and then asks for a confirmation at step S93. (See FIG. 9 and column 7, lines 62-63). At this point in the enrollment mode, the fingerprint recorded by the Anzai patent is not learned because it does not permit control of a vehicle function by the user. The learning of the fingerprint by the authorization system does not occur until after steps S95 and S97 occur after which no indication of whether at least one new unique biometric characteristic has been learned is caused by the controller. (See FIG. 9 and column 7, lines 63-67). Independent Claim 57 includes similar recitations to those recited by Claim 30.

Accordingly, independent Claims 30 and 57 are patentable. Their dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

CONCLUSIONS

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the

In re Patent Application of:
FLICK
Serial No. **10/043,077**
Filing Date: **JANUARY 9, 2002**

Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,

DOUGLAS J. VISNIUS
Reg. No. 48,012
Allen, Dyer, Doppelt, Milbrath
& Gilchrist, P.A.
255 S. Orange Avenue, Suite 1401
Post Office Box 3791
Orlando, Florida 32802
407-841-2330
407-841-2343 fax
Agent for Applicants

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 21st day of October, 2005.